

# United States District Court

Southern

DISTRICT OF New York

Carolyn Forrest

04 CV 5151

**JUDGE SWAIN**

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: 04-CV-5151(LTS)

Unifund Financial Group, Inc., Unifund  
America, Inc., Unifund Partners Fund, L.P.  
(Series X), Unifund Partners Fund, L.P. (Series XI),  
Unifund Partners Group, L.P. (Series XII),  
Unifund Partners Group (Series XIV),  
R. Scott Barter and Murial Barter

TO: (Name and address of defendant)

1. Alan Scott, Esq. (Registered Agent),  
Levitt and Scott, 300 E. 42nd St., 9th  
Floor, NYC, NY 10017
2. Ralph Scott Barter, 10 Harbor St., East  
Hampton, NY
3. Murial Barter, 333 E. 49th St., Apt. 8H,  
NYC, NY 10017

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

ERIC AGLOW, ESQ., UAW LEGAL SERVICES PLAN  
10 Woodbridge Center Drive, Suite 730  
Woodbridge, New Jersey, 07095  
732-602-1166

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

DATE

(BY) DEPUTY CLERK

STATE OF NEW YORK UNITED STATES DISTRICT COURT SOUTHERN DISTRICT  
DOCUMENTS SERVED WITH INDEX: 04-CV-5151(LTS) AND FILED ON

CAROLYN FORREST

Plaintiff(s)/Petitioner(s)

Vs.

UNIFUND FINANCIAL GROUP, INC., ET AL

Defendant(s)/Respondent(s)

STATE OF: NEW YORK )

SS

COUNTY OF WESTCHESTER )

The undersigned deponent, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in the State of New York. On 8/20/2004 at 6:57PM, deponent did serve the within process as follows:

Process Served: **SUMMONS AND COMPLAINT JURY TRIAL DEMAND**

(herein called

Party Served: **MURIAL BARTER**

therein named.

At Location: **333 E. 49TH STREET, APT. 8H**

**NEW YORK NY 10017**

By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex FM Color of Skin WH Color of Hair BRNDR

Age 72 Height 5'7" Weight 140

Other Features

Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or on active duty in the military service in the State of New York and was informed **BHE** was not.

Sworn to before me on

8/25/2004

*Eric Avarbeck*

Eric Avarbeck

Servant's License: 918027

Notary Public in and for the State of New York

Commission Expires 12/31/2006 06

**AFFIDAVIT OF SERVICE ON A CORPORATION BY THE SECRETARY OF STATE**

Index # 04 CV 5151

Purchased/Filed: June 30, 2004

State of New York

U. S. District Court

Southern New York County

Carolyn Forrest

Plaintiff

against

Unifund Financial Group, Inc., et al

Defendant

STATE OF NEW YORK     )  
COUNTY OF FULTON     )    SS  
CITY OF GLOVERSVILLE   )

Gerald Skinner, being duly sworn, deposes and says: deponent is over the age of twenty-one (21) years; that on August 16, 2004, at 2:25PM, at the office of the Secretary of State of the State of New York in the City of Albany, New York, deponent served the annexed Summons in a Civil Case and Complaint Jury Trial Demand, on

Unifund Financial Group, Inc.

Defendant in this action, by delivering to and leaving with Carol Vogt

AUTHORIZED AGENT in the Office of the Secretary of State of the State of New York, personally at the Office of the Secretary of State of the State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40.00 dollars; that said service was made pursuant to Section 306 Business Corporation Law.

Deponent further says that deponent know the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 49 Approx. weight: 110 Approx. Ht.: 5'1

Sex: Female Color of skin: White Color of hair: Brown Other: \_\_\_\_\_

Sworn to before me on this 16th day of August, 2004

Tammy Skinner  
TAMMY SKINNER  
NOTARY PUBLIC, State of New York  
01SK024054, Fulton County  
Term Expires, May 03, 2007

Gerald Skinner  
Gerald Skinner

Invoice/Work Order # 0205773

**U.S. PROCESS SERVICE INC. - 7 CENTRAL PARK AVENUE, YONKERS, NEW YORK 10705**